

REMARKS

I. Amendment to the Specification

Support for the amendment to the specification is provided at page 6, lines 26-28, and from page 23, line 30 to page 24, line 4.

I. Amendment to the Claims

Upon entry of the foregoing amendment, claims 50 – 60 are pending in the application. Of the pending claims, claim 50 is independent. Support for the droplet size amendment to claim 50 is provided in the specification at page 22, lines 7-8.

Rejections under 35 U.S.C. § 103

The Examiner has rejected Claims 50-53 and 57 under 35 U.S.C. §103(a) as being unpatentable over the non-patent literature, Bayliss et al. “The Combined Effect of Hydrogen Peroxide and Ultraviolet Irradiation of Bacterial Spores” in view of Blidschun et al. (U.S. Patent No. 4,680,163 and Peltier (U.S. Patent No. 5382,410). It is respectfully submitted that this rejection may not be maintained against amended claim 50. Claim 50 has been amended to require an aerosol droplet size “greater than 50 μm in diameter”. In addition, the term “person-occupiable space” has been defined in the specification. The cited references do not teach or suggest, alone or in combination, the use of spraying in a stream aerosol droplets larger than 50 μm in diameter for use within a person-occupiable space as claimed. Accordingly, it is respectfully requested that claim 50 is allowable over the prior art of record.

Conclusion

For the reasons discussed above, Applicant respectfully submits that amended Claim 50 is allowable over the prior art of record. As such, it is further urged that the dependent claims are also allowable over the prior art of record.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

 11/26/2007

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